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ABSTRACT

In order to investigate the types of testing accommodations allowed for students with Limited English Proficiency (LEP) on exams used to determine whether a student earns a diploma, a study examined 18 states' written accommodations guidelines and testing policies. Each of the 18 states studied used a different test for its graduation examinations. The most frequently tested subjects were mathematics, reading, and writing. Results of the study found that nine states did not list accommodations for students with LEP in their written documents, and three states allowed students to be exempted from the tests. A chart provides information on individual state accommodations. The most frequent accommodations are: (1) setting/administration accommodations, including providing a bilingual dictionary and a separate room for testing; (2) scheduling accommodations, including allowing students to have extra time and using multiple testing sessions for students with LEP; and (3) response accommodations, including allowing students to mark answers directly in the test booklets. Findings indicate minimal considerations being given to accommodations as a way of increasing the participation of students with LEP in graduation exams. Recommendations for states to increase participation of these students are provided. (CR)

ED 415 640

Assessment Series

Minnesota Report 8

Accommodations for Students with Limited English Proficiency: An Analysis of Guidelines from States with Graduation Exams

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STATE ASSESSMENT SERIES
Minnesota Report 6

Accommodations for Students with Limited English Proficiency: Analysis of Guidelines from States with Graduation Exams

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The Minnesota Assessment Project is a four-year, federally funded effort awarded to the Minnesota Department of Children, Families and Learning from the U.S. Department of Education, Office of Educational Research and Improvement. The project's goal is to promote and evaluate the participation of students with limited English proficiency and students with disabilities in Minnesota's Graduation Standards. Specifically, the project will examine ways in which students with limited English and students with disabilities can participate in the Basic Standards Tests of reading, mathematics, and written composition and in the performance-based assessments of the high standards in the Profile of Learning.

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Overview

According to the 1994 United States General Accounting Office (USGAO) report entitled *Limited English Proficiency: A Growing and Costly Educational Challenge Facing Many School Districts*, "the nation's ability to achieve the national education goals is increasingly dependent on its ability to educate LEP students" (p. 1). Associated with these national goals are statewide assessments, some of which are used to determine whether a student meets state standards for receiving a diploma. Traditionally, students with limited English proficiency (herein referred to as LEP students) have been exempted from measurements of their academic progress or have been assessed in inappropriate ways (Rivera & Vincent, 1996, p. 1). Due to the rapid increase in the LEP student population, it is important to include as many LEP students as possible in graduation tests. These tests are high stakes tests for students, and LEP students need access to a diploma and to the future opportunities that a diploma provides.

For LEP students to participate in assessments, there is a need to determine which students are capable of taking the test and what types of accommodations will allow them to show their best performance. However, it is difficult to determine the types of accommodations that allow LEP students to more accurately demonstrate what they know from those types that may give them an unfair advantage over monolingual students. LEP students do not have the same legislative support for accommodations as do students with disabilities. Therefore, states are left to themselves to determine what types of accommodations they will allow. The purpose of this report is to look at states with high stakes graduation testing and to report trends in the types of testing accommodations allowed for LEP students. Data used in this analysis were taken from written documents that contain state guidelines for assessment accommodations.

Method

Sample

Each of the eighteen states uses a different test for its graduation examination.

Eighteen states were included in this analysis of states' written accommodation guidelines: Alabama, Florida, Georgia, Hawaii, Louisiana, Maryland, Michigan, Mississippi, Nevada, New Jersey, New Mexico, New York, North Carolina, Ohio, South Carolina, Tennessee, Texas, and Virginia. The guidelines examined were those that had been compiled by the National Center on Educational Outcomes (NCEO) (Thurlow, Scott, & Ysseldyke, 1995). Although these guidelines had been collected by NCEO to examine policies for students with disabilities, they sometimes also included information on LEP students. In addition, documents from each state on their graduation testing policies or testing policies in general were examined. Some of these documents specifically addressed LEP students and some did not. Two states, Hawaii and Michigan, indicated that they did not have any written guidelines for testing LEP students.

Each of the eighteen states uses a different test for its graduation examination (see Thurlow, Erickson, Spicuzza, Vieburg, & Ruhland, 1996, for a complete listing of these tests). Twelve states (Georgia, Louisiana, Maryland, Mississippi, Nevada, New Jersey, New Mexico, New York, Ohio, South Carolina, Texas, and Virginia) include a writing sample as part of their graduation testing. All states except Nevada and North Carolina have criterion-based tests. Nevada uses a norm-referenced test, while North Carolina uses a combination of both criterion-based and norm-referenced tests. States also focus on many different content areas in their graduation exams. The most frequently tested subjects are mathematics (17 states), reading (14 states), and writing (13 states).

Procedure

The documents collected from each state were examined to determine accommodations specifically allowed for LEP students on only those exams used to determine whether a student earns a diploma. It is important to note that states did not consistently use the same terms (e.g., *accommodation*, *adaptation*, *modification*) to refer to the same ideas (see Thurlow, Ysseldyke, & Silverstein, 1995). For the sake of clarity, in this report we use the term *accommodation* to include all changes in testing conditions that states allow for students with limited English proficiency.

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Reliability of Information

Because information was taken directly from written documents, it does not necessarily agree with information collected by surveys of state assessment personnel (e.g., Rivera & Vincent, 1996). Discrepancies may be due to differences between written policy and actual practice, variation in individual districts within states, lack of availability of all possible documents produced by a state, or misinterpretation of available information. This report summarizes information from written documents and from any personal communications with State Education Agencies (SEAs) regarding the written documents.

Because the process of collecting data from state documents was complicated and the wording of the documents was often vague, two raters were used. Although no inter-rater reliability was calculated, the raters double-checked each other's findings to ensure accuracy. In some cases, exact determinations of which accommodations were allowed for LEP students was difficult. Some states appeared to not allow any accommodations for LEP students, while others did not indicate which accommodations were applicable to students with disabilities and which were applicable to LEP students.

Findings

Nine out of eighteen states did not list accommodations for students with limited English proficiency in their written documents. In a personal communication, Hawaii specifically stated that accommodations are only allowed for students with disabilities. In another personal communication, Michigan stated that it has no state guidelines for LEP students and accommodations on the graduation test; districts are allowed to set their own guidelines. Discussion of accommodations could not be found in the available literature from seven other states: Alabama, Georgia, Louisiana, New Mexico, South Carolina, Tennessee, and Virginia.

Eligibility Considerations

Decisions about accommodations are inextricably mixed with decisions about whether students participate in an assessment, or are allowed to use alternate procedures for demonstrating competency. These aspects of decision making about LEP students are shown in Table 1. Exempting students from tests was allowed by 3 of the 18 states with graduation exams. Alternative procedures for demonstrating competencies were noted by only two states, with one specifically discussing alternative procedures, and another discussing alternative procedures in general terms.

Of the states that did list possible accommodations for LEP students (see Tables 2 and 3), there are differences in the ways that eligibility for the accommodations is determined. Florida specifically states that districts are required to offer accommodations to LEP students who are currently receiving services in a language learning program. This state requires districts to offer:

> accommodations to LEP students who are currently receiving services in a program operated in accordance with an approved LEP Plan, but the exact combination of accommodations to be offered to any particular student

Table 1: Eligibility for Accommodations, Exemption from Testing, and Alternate Procedures

States	Accommodations Eligibility	Exemption from Testing	Alternate Procedures
AL			
FL	For a student with an LEP plan who is receiving services, accommodations are allowed and may be individually determined.		
GA			
HI			
LA			
MD	Must meet locally established language proficiency guidelines to receive accommodations.	"If needed accommodations invalidate part of the test, LEP students may be exempt from that part." Students who do not meet language proficiency requirements may be exempted from one administration each of the functional tests at their request.	
MI	**No state guidelines; districts set their own for LEP students.**		
MS		X	Listed in chart of possible accommodations, but not specified for LEP students; no explanation given.
NV			
NJ			If student enters school grade 9 or later, may demonstrate state minimum levels of proficiency through a special review assessment in first language. If student obtains minimum proficiency in first language, then must take Maculaitis Assessment Program and attain passing level of 133 raw points to be eligible for state endorsed diploma.
NM			**Mandates bilingual-multicultural programs but no written guidelines for testing of LEP students.**
NY	Students who enter a predominantly English-speaking school before grade 8 must take writing, mathematics, science and social studies tests without accommodations.		Only if first entry into predominantly English school is after 8th grade. Alternative tests are allowed for writing, math, science, and social studies if there is no translation or translator available for the students' first language. Must have permission.
NC	**Accommodations allowed for "certain LEP students and certain tests."**	**May be exempted from one subject test but must be tested on others. If exempted from competency tests, may not receive diploma.**	
OH	Any student identified as LEP by the school may have accommodations.		
SC			
TN			
TX			
VA			

X: Exemption is allowed.

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> shall be individually determined, considering the needs of the student. (Brogan, 1995)

Maryland allows accommodations only for LEP students who meet minimum language proficiency requirements, but does not state how proficiency is determined or explain its definition of "LEP." In Ohio, any student identified as LEP by the school may have accommodations. North Carolina states that accommodations are allowed for "certain LEP students" but does not explain how these students are identified.

New Jersey and New York specify how long a student needs to have been in school in order to be eligible for testing accommodations or an exemption from testing. New Jersey documents state that LEP students who enter the school in grade 9 or later are exempt from taking the graduation exam, but must take a proficiency test in their first language. If the proficiency test indicates a minimum level of proficiency, then the student must take the Maculaitis Assessment Program and earn at least 133 raw points to be eligible for a state-endorsed diploma. New York specifies that students who enter a predominantly English-speaking school before grade 8 must take the writing, math, science, and social studies tests without accommodations; those who enter after grade eight are allowed to use certain accommodations on these tests (see Table 2). Accommodations for the writing, math, science, and social studies tests may include the use of alternative procedures for demonstrating competency.

North Carolina and Maryland specify conditions under which an LEP student may receive a partial exemption from the graduation test. North Carolina allows students to be exempted from one subject test but the student must be tested on the others. If the student is exempted from a competency test, he or she may not receive a diploma. Maryland requires LEP students to take a language proficiency test in English. If a student does not meet the minimum language proficiency requirements, the student may request to be exempted from one administration of each of the functional tests. In addition, documents state that if needed accommodations invalidate part of the test, LEP students may be exempt

Table 2: LEP Setting/Administration Accommodations

States	Words Defined	Bilingual Dictionary	Test Read Aloud in English	Written Translation of Test in First Language	Oral Translation of Test in First Language	Separate Room	Different Test Administrator	Other/Comments
AL								
FL		X		X[1]		X	X	
GA								
HI								
LA								
MD								
MI								
MS						X	X	Also allows LEP students to be tested individually
NV	X[2]							Test topic for writing may be defined so student understands the meaning, but no instructions may be given on how to respond to the topic
NJ								
NM								
NY		X[3]		X[4]	X[5]			
NC		X[6]				X		
OH		X[7]						
SC								
TN								
TX					X[8]			Has guidelines for how to count ESL course credits towards graduation, but no guidelines for test.
VA								

X[1]: Teacher may answer questions about tests in the first language, but may not help students with test questions (for Math and Communications test sections only).
X[2]: For writing exam only.
X[3]: Dictionaries allowed for Regents exams (except in English) and for Regents Competency exams (except in Reading and Writing). Dictionary must not define or explain terms; only word-for-word translation.
X[4]: For writing, math, science and social studies tests; only allowed if student entered in grade 8 or later.
X[5]: If written tests are not available in first language and the student entered in grade 8 or later.
X[6]: Also allows for electronic translator.
X[7]: Allows for first language-to-second language, or second language-to-first language dictionaries.
X[8]: Test directions only.

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from that part. There is no discussion of the types of accommodations that would invalidate the test or of how long this exemption would be allowable.

Specific Accommodation Policies

For analysis purposes, this report organizes accommodations into three categories: setting/ administration, scheduling, and response accommodations.

For analysis purposes, this report organizes accommodations into three categories: *setting/administration*, *scheduling*, and *response accommodations*. We also provide the percentages of states whose documents indicate the specific accommodations that would be acceptable. This does not include those states that did not specifically indicate which accommodations were allowable for LEP students, nor those states that allowed accommodations to be used "with approval."

Setting/administration accommodations. This category, which seemed to be the type most frequently allowed (see Table 2) was categorized into seven separate accommodations. The most frequently stated accommodations in this category included *bilingual dictionary* (4 states), and *separate room* (3 states). No state had published guidelines allowing the tests to be read aloud in English for LEP students.

Some states allowed translation of certain parts of the test; states doing this are not included in the counts listed above. Florida policy allows teachers to answer specific questions about the test in the first language of the students, but not to give assistance in answering test questions. Texas guidelines allow test directions to be translated into the students' first language.

Scheduling accommodations. This category included two separate accommodations that states allowed students to use in their high stakes graduation tests (see Table 3). The most frequently allowed scheduling accommodation was *extra time* (6 states). The use of multiple testing sessions for LEP students was mentioned in the assessment guidelines of only two states.

Table 3: LEP Scheduling Accommodations and Response Accommodations

States	Scheduling		Response
	Extra Time	Multiple Sessions	Students Mark in Test Booklet
AL			
FL	X	X[1]	
GA			
HI			
LA			
MD	X		
MI			
MS	X[2]		
NV	X[3]		
NJ			
NM			
NY*			
NC	X	X	X
OH	X		
SC			
TN			
TX			
VA			

X[1]: Time and scheduling may be modified so student can complete a section within a given day. Student must complete one section in one day.
X[2]: Mentioned in chart of possible accommodations allowed - not specified for LEP students.
X[3]: No more than twice as much time.

* In addition to the writing, math, science, and social studies tests that are given for graduation, documents indicate that there is also an ESL test for LEP students. Students must have a specified score on a Department approved test. The required level of English proficiency increases with the number of years of English instruction the student has had.

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Response accommodations. For LEP students, the review of state guideline documents revealed only one specific reference to allowing accommodations found within this category: marking answers directly in the test booklets. This accommodation was identified by only one state.

Reporting of Test Results

None of the eighteen states indicated in their guidelines whether the testing results of LEP students using accommodations are included in the local or state reports.

None of the eighteen states indicated in their guidelines whether the testing results of LEP students using accommodations are included in the local or state reports. If the states do have policies on the use of test results for these students, they are not clearly stated in the available documents.

Discussion

This analysis of states' written guidelines for the assessment of students with limited English proficiency suggests that minimal consideration is being given to accommodations as an avenue for increasing their participation in graduation exams. The summary of allowable accommodations shown in Table 4 reveals the small number presently articulated in state guidelines. This is in sharp contrast to the current situation for other groups of students with special learning needs, such as students with disabilities (see Thurlow et al., 1996).

Table 4: Summary of Accommodations Allowed for LEP Students

Accommodation	Number of States	% of All States with Graduation Exams
Setting/Administration		
Bilingual dictionary	4	22%
Separate room	2	11%
Answer queries	1	5.6%
Translations:		
Written	1	5.6%
Oral, directions only	2	11%
Oral, all	1	5.6%
Answer questions about directions in first language	1	5.6%
Words Defined	1	5.6%
Scheduling		
Extra Time	5	28%
Multiple Sessions	2	11%
Response		
Student marks in test booklet	1	5.6%

Issues in Interpretation

The results of this analysis of state documents indicate that states should consider the ways in which accommodation and general testing policies for LEP students are presented. The format of guidelines varies a great deal across states and at times is very vague. During the process of analysis, two issues surfaced regarding the interpretation of allowable accommodations. The first issue relates to the definition of "translation." In Florida, the student taking the test is allowed to ask the ESOL or "heritage language" teacher questions about the directions for the test in either his or her first or second language (see Table 3). The teacher is allowed to provide answers to specific questions, in either language, that do not compromise the validity of the test. Florida does not call this

type of assistance a "translation" of test directions; therefore the issue becomes whether to categorize it as such in this type of analysis. The other major interpretation issue, as previously mentioned, is determining which accommodations in a list of possible accommodations specifically apply to LEP students. (As noted earlier, it was decided not to include accommodations in this analysis unless they were identified specifically as being for LEP students.)

Recommendations

Based on this analysis, we propose several recommendations for states considering the participation of LEP students in graduation tests:

- Define "limited English proficiency" so that all districts have a common reference point and policies across states can easily be compared.
- List accommodations for LEP students separately from those for students with disabilities.
- Explain in detail which LEP students are allowed to have accommodations and how eligibility is determined.
- Indicate who should be involved in the decision-making process regarding allowable accommodations (e.g., parents, student, teachers) and how those decisions are to be made (e.g., based on a student's proficiency, time in the district or English-speaking schools).
- Clearly define and explain each accommodation.
- Keep information about graduation tests separate from information about other tests and clearly specify whether there is more than one level of graduation testing or diploma. For example, New York has a Regent's Exam and a Regent's Competency Exam, both of which are graduation tests but indicate different levels of achievement.

- Clearly indicate how test scores will be reported and whether LEP student scores will be disaggregated from the scores of native English speakers.

In addition to these specific recommendations, states are urged to consider two broader issues. First, states are advised to look at the inconsistencies that exist in testing policies across the 18 states with graduation tests. These differences contribute to a lack of understanding about the meaning of LEP students' test scores among these states. For example, New York allows for translations of tests into students' first languages while other states do not allow translations. Why are translations considered feasible in some states and not in others? Are test results from translated tests comparable to test results in states that do not allow translations? Few accommodations are universally allowed, and further research on the appropriateness and technical adequacy of different types of accommodations would be beneficial.

Few accommodations are universally allowed, and further research on the appropriateness and technical adequacy of different types of accommodations would be beneficial.

A second issue that some states need to address is the total lack of written guidelines regarding LEP students and graduation testing. If maximum inclusion of LEP students in graduation testing programs is a goal, policies need to be created to support the participation of these students.

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